

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION**

Vincent W. Pempeit, III

Civil Action No. 6:05-CV-0760

versus

Judge Tucker L. Melançon

Commissioner of the Social  
Security Administration


Magistrate Judge Hill

**RULING**

This matter was referred to United States Magistrate Judge C. Michael Hill for his Report and Recommendation. No objections have been filed. After an independent review of the record, the Court concludes that the Report and Recommendation [Rec. Doc. 12] of the magistrate judge is correct and therefore adopts the conclusions set forth therein.

Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision be **REVERSED**, and the claimant be awarded appropriate benefits commencing January 28, 2002.

**THUS DONE AND SIGNED** in Lafayette, Louisiana, on this 3<sup>rd</sup> day of March, 2006.

  
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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE